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Legislative Information System 96th General Assembly All Bills (Bill Order) Land Use

5/5/2010 9:55:24 AM

Both Chambers

HB 4062

Short Description: PROP TX-CONSERVATION RIGHTS

House Sponsors Rep. Michael W. Tryon

Synopsis As Introduced

Amends the Property Tax Code concerning the valuation of land encumbered by conservation rights. Provides that land that is certified by the Department of Natural Resources as contributing to the groundwater recharge potential of an aguifer is considered to provide a demonstrated public benefit. Effective immediately.

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 4663

Short Description: MUNI CD-ANNEXATION

House Sponsors Rep. Bill Mitchell

Synopsis As Introduced

Amends the Illinois Municipal Code. Provides that if a municipality annexes territory, then the municipality must provide no later than one year after the date of annexation basic services to the residents of the annexed territory. Provides that basic services include water, sanitary sewers, police protection, and fire protection. Effective immediately.

House Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Municipal Code. Provides that the failure of an annexation agreement entered into by an annexing municipality to specify the basic services that the annexing municipality shall provide to the annexed territory does not relieve the annexing municipality from providing those services. Effective immediately.

Last Action

Date	Chamber	Action
3/26/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 4677

Short Description: REAL ESTATE DISCLOSURE-ANNEX

House Sponsors Rep. Bill Mitchell

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Synopsis As Introduced

Amends the Residential Real Property Disclosure Act. Adds, to the residential real property disclosure report form, a disclosure of whether the seller is aware of a petition, agreement, or similar document relating to the annexation of the property.

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 4690

Short Description: PROP TX-SPECIAL SERVICE AREAS

House Sponsors Rep. Jack D. Franks

Synopsis As Introduced

Amends the Property Tax Code. In a Section concerning a public hearing held prior to the establishment of a special service area, provides that a list of the names and addresses of the individuals and entities to whom notice of the public hearing was sent by mail shall be made available at the public hearing. Provides that a special service area district may not be created or enlarged, a tax may not be levied or imposed nor the rate increased, nor may bonds be issued unless that action is authorized by a petition that is signed by at least 51% of the electors residing within the special service area and by at least 51% of the owners of record of the land included within the boundaries of the special service area (currently, the action may be taken unless a petition objecting to the action is filed). Provides that, if a person who is registered to vote has died or has permanently moved from the special service area, and if certified documentation is submitted along with the authorization petition, then that person shall not be counted as an elector for purposes of the authorization petition.

Last Action

Date	Chamber	Action
1/4/20	10 House	Referred to Rules Committee

HB 4758

Short Description: CNTY CD-ENERGY IMPROVEMENTS

House Sponsors

Rep. Michael W. Tryon-Jack D. Franks-Patricia R. Bellock-Sandy Cole-Al Riley

Senate Sponsors

(Sen. Pamela J. Althoff)

Synopsis As Introduced

Amends the Counties Code. Authorizes a county to enter into voluntary agreements with the owners of property within the unincorporated areas of the county to provide for contractual assessments to finance the installation of distributed generation renewable energy sources or energy efficiency improvements that are permanently fixed to real property. Effective immediately.

Date	Chamber	Action
4/27/2010	House	Passed Both Houses

Synopsis Report Page 3 of 11

HB 4948

Short Description: INC TX-SAFE RIDES CHECKOFF

House Sponsors

Rep. Robert W. Pritchard

Synopsis As Introduced

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the Department of Transportation shall establish and administer a Safe Routes to School Non-Infrastructure Program to fund education, encouragement, evaluation, and enforcement strategies to help children enjoy healthy and safe walk, roll, and bike commutes to and from school. Creates the Childhood Obesity Fund. Provides that moneys in the Fund shall be used by the Department of Transportation to make grants to school districts, units of local government, and not-for-profit organizations. Amends the State Finance Act to make conforming changes. Amends the Illinois Income Tax Act. Creates a tax checkoff for the Childhood Obesity Fund. Effective immediately.

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 4968

Short Description: MUNI CD-ANNEXATION

House Sponsors

Rep. Keith Farnham and Carol A. Sente

Senate Sponsors

(Sen. Linda Holmes-Michael Noland)

Synopsis As Introduced

Amends the Illinois Municipal Code. In provisions concerning annexation under specified circumstances, adds that a municipality may annex territory which is not contiguous to the municipality if the territory is separated by an area dedicated to conservation and owned by a not-for-profit organized under Section 501(c)(3) of the Internal Revenue Code of 1986 under certain circumstances. Provides that it is presumed that an existing forest preserve district property, federal wildlife refuge, open land, open space, or conservation area owned by a not-for-profit organized under Section 501(c)(3) of the Internal Revenue Code creates an artificial barrier preventing annexation if the property to be annexed has access to municipal water and sewer service without new easements or new rights-of-way for access. Makes revisory changes. Effective immediately.

House Committee Amendment No. 1

Further amends the Illinois Municipal Code. Deletes provisions that create a presumption that an existing forest preserve district property, federal wildlife refuge, open land, open space, or conservation area owned by a not-for-profit organized under Section 501(c)(3) of the Internal Revenue Code creates an artificial barrier preventing annexation if the property to be annexed has access to municipal water and sewer service without new easements or new rights-of-way for access.

Date	Chamber	Action
4/27/2010	House	Passed Both Houses

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HB 5233

Short Description: UTILITIES-VEGETATION MGMT

House Sponsors

Rep. Patricia R. Bellock-Sandra M. Pihos

Synopsis As Introduced

Amends the Public Utilities Act. Provides that an electric public utility shall follow the sensible growth vegetation standards as developed by the Illinois Commerce Commission to replant trees removed by utilities along State, county, and municipally owned recreational trails. Effective immediately.

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 5446

Short Description: MUNI-CONTRACT-MASS TRANSIT

House Sponsors Rep. Al Riley

Synopsis As Introduced

Amends the Illinois Municipal Code. Provides that the corporate authorities of 2 or more municipalities may, by intergovernmental agreement, contract for the operation of a privately owned local passenger transportation system within and between the corporate boundaries of the municipalities upon terms agreeable to the municipalities and the owner of the local passenger transportation system. Provides that, subject to appropriation, the Department of Commerce and Economic Opportunity may award grants to municipalities that enter into a contract for the purpose of operating a local passenger transportation system under specified circumstances.

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 5485

Short Description: MUNI CD-WATERWORKS VALUATION

House Sponsors

Rep. Renée Kosel-Naomi D. Jakobsson-Sandra M. Pihos-Robert W. Pritchard-Emily McAsey, Ed Sullivan, Jr. and Michael G. Connelly

Synopsis As Introduced

Amends the Illinois Municipal Code. Provides that in certain eminent domain proceedings the fair cash market value of waterworks and sewerage system facilities is the depreciated value of the land and easements upon which the facilities are situated and all facilities and fixtures constructed or installed by the utility company (rather than the net earnings attributable to those facilities). Requires the acquiring municipality to reimburse the utility company for payments made by the utility in connection with the dedication or donation of any waterworks or sewerage system to the utility company.

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Date	Chamber	Action
3/26/2010	House	Rule 19(a) / Re-referred to Rules Committee

HB 5804

Short Description: ENTERPRISE ZONES-NEW ZONES

House Sponsors

Rep. David Reis-John D. Cavaletto-Rich Brauer-Sidney H. Mathias-Roger L. Eddy

Synopsis As Introduced

Amends the Illinois Enterprise Zone Act. Provides that, beginning in calendar year 2010 and until December 31, 2014, an additional enterprise zone may be certified by the Department of Commerce and Economic Opportunity. Effective immediately.

Last Action

Date	Chamber	Action
2/23/2010	House	Tabled By Sponsor Rep. David Reis

HB 6050

Short Description: SCH CONST-REPAIR PROJECTS

House Sponsors Rep. Rich Brauer

Synopsis As Introduced

Amends the School Code. Provides that the State Board of Education shall develop standards for the determination of priority needs concerning school construction projects based upon approved district facilities plans, which shall include projects designed to alleviate a shortage of classrooms due to population growth or to repair or replace, or both, aging school buildings. Effective immediately.

Last Action

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	Date	Chamber	Action
ſ	2/10/2010	House	Referred to Rules Committee

HB 6257

Short Description: MUNI CD-LEASES

House Sponsors

Rep. Anthony DeLuca-Michael J. Zalewski-Dennis M. Reboletti

Senate Sponsors

(Sen. Martin A. Sandoval-M. Maggie Crotty-Toi W. Hutchinson)

Synopsis As Introduced

Amends the Illinois Municipal Code. Provides that the corporate authorities of any municipality may license and regulate landlords, as defined by the corporate authorities of the municipality, within that municipality. Specifies that the corporate authorities of any municipality may require that landlords include in any and all leases

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prohibitions of criminal activity. Effective immediately.

House Committee Amendment No. 1

Replaces everything after the enacting clause. Amends the Code of Civil Procedure. In provisions concerning leased premises used in furtherance of a criminal offense, provides that a written lease shall contain language that the commission of any act by the lessee, occupant, household member of the lessee or occupant, or guest of the lessee or occupant that would constitute a felony or Class A misdemeanor shall give the owner or lessor the right to void the lease and recover possession of the leased premises. Provides that under specified circumstances, an owner or lessor may assign to the corporation counsel of the municipality the right to bring a forcible entry and detainer action on behalf of the owner or lessor. Effective immediately.

Last Action

Date	Chamber	Action
4/29/2010	Senate	Re-assigned to Executive

SB 2482

Short Description: GREEN ENERGY SPECIAL AREAS

Senate Sponsors

Sen. Michael W. Frerichs-William Delgado and A. J. Wilhelmi

Synopsis As Introduced

Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to public and private green energy special service area projects, which authority shall be liberally construed. Allows any unit of local government with the authority in connection with green energy special service area projects to provide special service area financing under specified provisions, including bonds. Specifies that bonds issued pursuant to the financing be secured by special service area agreements. Amends the Special Service Area Tax Law in the Property Tax Code. Provides that the corporate authorities of a county or a municipality may establish a green energy special service area and specifies the criteria for the creation of the areas. Amends the Counties Code and the Municipal Code to specify that each county or municipality shall have the power and authority to engage in specified activities that relate to green energy special service areas. Effective immediately.

Last Action

	Date	Chamber	Action
Γ	3/8/2010	Senate	Rule 3-9(a) / Re-referred to Assignments

SB 2484

Short Description: FACILITY FLOOD PROTECTION ACT

Senate Sponsors Sen. William R. Haine

Synopsis As Introduced

Creates the Critical Facility Flood Protection Act. Supersedes Executive Order 2006-5. Sets forth certain requirements with which State agencies must comply before undertaking development in Special Flood Hazard Areas. Requires certain State agencies to take steps to ensure that development meets these requirements. Requires State agencies engaged in planning programs or programs for the promotion of development to inform program participants of the existence and location of Special Flood Hazard Areas and of any State or local floodplain requirements in effect in those areas, and to ensure that proposed developments within Special Flood

Synopsis Report Page 7 of 11

Hazard Areas meet certain requirements. Requires the Office of Water Resources to provide available flood hazard information to assist each State agency in carrying out responsibilities under this Act. Requires each State agency to work with the Office of Water Resources to establish procedures to carry out this Act. Defines "critical facility", "developed", "development", "floodplain", "flood protection elevation", "Office of Water Resources", "Special Flood Hazard Area", and "State agency". Effective immediately.

Last Action

Date	Chambe	r Action
3/8/2	2010 Senate	Rule 3-9(a) / Re-referred to Assignments

SB 2505

Short Description: PROP TX-GREEN ENERGY SSA

Senate Sponsors

Sen. Michael W. Frerichs, Michael Noland-Linda Holmes-David Koehler, Terry Link-Jeffrey M. Schoenberg, Emil Jones, III, Heather Steans-Susan Garrett, Mattie Hunter, Michael Bond, Ira I. Silverstein, A. J. Wilhelmi and William Delgado

House Sponsors

(Rep. Lou Lang-Patrick J. Verschoore-Annazette Collins and Jay C. Hoffman)

Synopsis As Introduced

Amends the Property Tax Code. Provides that municipalities and counties may establish green energy special service areas. Provides that those green energy special service areas shall include only property for which each owner of record has executed a contract or agreement with the county or municipality consenting to the inclusion of the property within the green energy special service area. Provides that green energy special service areas are not subject to certain notice and hearing requirements set forth in the Property Tax Code. Provides that the owner of record of each parcel of property within a green energy special service area may arrange, through an agreement with the municipality or county, for specific energy efficiency improvements or renewable energy improvements and may obtain financing for such improvements through the process set forth in the ordinance establishing the special service area. Provides that counties and municipalities may levy property taxes in connection with green energy special service areas. Provides that counties and municipalities may issue bonds in connection with those special service area projects and may sell, assign, or pledge those bonds to the Illinois Finance Authority. Amends the Illinois Finance Authority Act to make conforming changes. Contains other provisions.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority has the power to purchase special service area bonds and to accept assignments or pledges, or both, of special service area bonds or agreements relating to public and private green special service area projects, which authority shall be liberally construed. Allows any unit of local government with the authority in connection with green special service area projects to provide special service area financing under specified provisions, including bonds. Specifies that bonds issued pursuant to the financing be secured by special service area agreements. Amends the Special Service Area Tax Law in the Property Tax Code. Provides that the corporate authorities of a county or a municipality may establish a green special service area and specifies the criteria for the creation of the areas, including energy efficiency improvements, renewable energy improvements, or water use improvements. Amends the Counties Code and the Municipal Code to specify that each county or municipality shall have the power and authority to engage in specified activities, including energy efficiency improvements, renewable energy improvements, and water use improvements that relate to green special service areas. Effective immediately.

Senate Floor Amendment No. 2

Makes technical corrections. Replaces the term "green energy special service area" with "green special service area".

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Senate Floor Amendment No. 3

Further amends the Illinois Finance Authority Act to provide that energy conservation projects must achieve energy cost savings sufficient to cover debt service and other project costs within 20 (instead of 10) years after the date of project installation. Provides that units of local government that provides special service area financing in connection with green special service area projects are authorized to issue bonds in connection with those special service areas. Provides that the unit of local government is not required to conduct a public hearing prior to the issuance of the bonds. Provides that municipalities must have consent from the County Clerk before creating a Green Special Service Area. Makes technical corrections.

Last Action

Date	Chamber	Action
4/19/2010	House	Assigned to Revenue & Finance Committee

SB 2523

Short Description: MUNI CD-BUSINESS DIST DEVELOP

Senate Sponsors

Sen. James F. Clayborne, Jr.

House Sponsors

(Rep. Thomas Holbrook)

Synopsis As Introduced

Amends the Illinois Municipal Code with respect to the "Business District Development and Redevelopment Law". Authorizes the issuance of bonds without referendum. Specifies notice requirements for a public hearing on a proposed business district plan. Sets forth the procedure for amending a business district plan. Specifies the requirements for a municipality to issue bonds for the payment or reimbursement of business district project costs. Makes numerous other changes. Provides that changes to the Law apply only to new business districts, unless an existing district is conformed by ordinance. Effective immediately.

House Committee Amendment No. 1

Further amends the Illinois Municipal Code with respect to the "Business District Development and Redevelopment Law". Provides that a municipality shall have the power to acquire property by eminent domain in accordance with the Eminent Domain Act. Provides that a business district's bond obligations must mature not later than 20 years after the date of issue or the dissolution date of the business district, whichever is earlier (instead of not later than the dissolution date of the business district).

Last Action

- :	24017(011011		
ı	Date	Chamber	Action
ı	5/3/2010	House	Held on Calendar Order of Second Reading - Short Debate

SB 2556

Short Description: FLOODPLAIN-DEFINITION

Senate Sponsors Sen. William R. Haine

House Sponsors

(Rep. Jay C. Hoffman-Thomas Holbrook-Daniel V. Beiser-Dan Reitz-Eddie Lee Jackson, Sr.)

Synopsis As Introduced

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Amends the Environmental Protection Act; the Rivers, Lakes, and Streams Act; and the Livestock Management Act. Defines "100-year floodplain" as the lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, that are inundated by a flood that has a 1% or greater chance of recurring in any given year or a flood of a magnitude equalled or exceeded once in 100 years on the average over a significantly long period. Provides that areas that lie within an area protected by a levee or levees located in a flood prevention district established by the Flood Prevention District Act are deemed by operation of law not to be within the 100-year floodplain for the purposes of these Acts. Provides that to the extent that Executive Order 2006-5 is inconsistent with the provisions of this amendatory Act, the provisions of this amendatory Act shall govern. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Environmental Protection Act, the Rivers, Lakes, and Streams Act, and the Livestock Management Facilities Act by reinserting the provisions of the bill as introduced, with technical changes. Effective immediately.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended by Senate Committee Amendment No. 1, with the following changes: (1) defines "100-year flood" in the Environmental Protection Act and (2) changes the conditions under which an area may be deemed by operation of law not to be within the 100-year floodplain. Effective immediately.

House Committee Amendment No. 1

Provides that areas that lie within a flood prevention district established in accordance with the Flood Prevention District Act shall be deemed by operation of law to be within the 100-year floodplain if, according to the currently adopted federal flood insurance rate map, those areas are subject to inundation by a 100-year flood from bodies of water other than the Mississippi River. Provides that nothing in this amendatory Act shall be construed to diminish or conflict with the authority and the obligation of local governments to adopt and enforce local ordinances and regulations necessary to maintain eligibility to participate fully in the National Flood Insurance Program and for property owners to purchase federal flood insurance. Provides that any critical facility that gives shelter to a person who would be unable to evacuate without assistance during a flooding event, and that is located in an area deemed by operation of law not to be within the 100-year floodplain because the area in which the critical facility is located lies within an area protected by a federal levee and is located in a flood prevention district established in accordance with the Flood Prevention District Act shall develop an evacuation plan and certify to the Emergency Services and Disaster Agency, on a form provided by the ESDA, that it has developed an evacuation plan which the critical facility has or will implement prior to or concurrent with occupancy of the facility in order to evacuate persons who need assistance evacuating the facility and the flooded area.

House Floor Amendment No. 2

Removes a provision in the Livestock Management Facilities Act that defines the term "100-year floodplain". Requires certain local governments to adopt and maintain ordinances and floodplain management regulations that meet certain federal requirements only if those governments choose to participate in the National Flood Insurance Program.

Last Action

	Date	Chamber	Action
ı	5/4/2010	Senate	Passed Both Houses

SB 2621

Short Description: PUBLIC-PRIVATE PARTNERSHIP

Senate Sponsors Sen. Dale E. Risinger

Synopsis As Introduced

Creates the Public-Private Transportation Act of 2010. Finds that the public need for timely development and

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operation of transportation facilities may not be wholly satisfied by the existing methods of delivering those services, and authorizing private entities to develop or operate one or more transportation facilities may result in the development or operation of such transportation facilities to the public in a more timely, more efficient, or less costly fashion, thereby serving the public safety and welfare. Provides that a private entity may enter into comprehensive agreements with the State and any agency or authority thereof, any city, village, incorporated town, or county and any other political subdivision of any of the foregoing for the development or operation of transportation facilities. Allows for the comprehensive agreement between the public and private entities to include a maximum rate of return for the private entity on the development or operation of the transportation facility, and provides for the allowable methods of compensation for both the public and private parties. Provides detailed rules and procedures for: the dedication of public property as a transportation facility, the powers and duties of the private entity, interim and service agreements, financing, material default and remedies, condemnation, crossing of utility lines, sovereign immunity, public disclosure, and procurement, among others. Amends the Freedom of Information Act to provide exemptions for certain proprietary information related to the new Act. Effective immediately.

Last Action

Date	Chamber	Action
3/8/2010	Senate	Rule 3-9(a) / Re-referred to Assignments

SB 3057

Short Description: SWIMMING FACILITY ACT-VARIOUS

Senate Sponsors

Sen. Don Harmon-Mattie Hunter-William Delgado

House Sponsors

(Rep. Lisa M. Dugan)

Synopsis As Introduced

Amends the Swimming Facility Act. Changes the statement of purpose and changes and adds definitions. Changes and adds provisions regarding: licensing of a swimming facility; swimming facility contractor licenses; swimming facility designer certification; permits for construction, development, installation, or major alteration of swimming facilities; license renewal; fees; rules; violations; civil and criminal penalties; hearings and determinations; facility closure; applicability; and other matters. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Amends the Swimming Facility Act. Makes a technical change in a Section concerning swimming facility closings.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause. Amends the Swimming Facility Act. Changes the statement of purpose and changes and adds definitions. Changes and adds provisions concerning: violations at swimming facilities; civil penalties; the denial, suspension, or revocation of a license; the closure of a facility; the payment of fees; license renewal; and other matters. Repeals provisions providing that (i) the Department of Public Health shall in any proceeding to suspend, revoke, or refuse to issue a license or permit, first serve or cause to be served upon the applicant or licensee a written notice specifying the way or ways in which such applicant or licensee has failed to comply with the Act, or any rules, regulations or standard promulgated by the Department pertaining thereto and (ii) the Department shall give written notice by certified or registered mail to any person refused a license or whose license is suspended or revoked. Makes other changes. Effective immediately.

Date	Chamber	Action
4/21/2010	Senate	Passed Both Houses

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SB 3524

Short Description: SAFE ROUTES TO SCHOOL PROGRAM

Senate Sponsors Sen. Martin A. Sandoval

Synopsis As Introduced

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Deletes the word "construction" throughout and renames the "Safe Routes to School Construction Program" as the "Safe Routes to School Program" in a provision concerning State use of federal Safe Routes to Schools Program funds. Provides that federal Safe Routes to School funds shall be competitively awarded to project proposals including planning, design, construction, training, education, and program coordination, with a minimum of 10% and a maximum of 30% allocated to non-infrastructure projects. Provides that the amounts of grants of all federal Safe Routes to Schools Program funds shall be apportioned to projects located in the following areas: (1) within a municipality with a population over 500,000; (2) within municipalities with a population between 40,000 and 500,000; and (3) all other municipalities and unincorporated areas. Effective immediately.

Last Action

Date	Chamber	Action
3/8/2010	Senate	Rule 3-9(a) / Re-referred to Assignments

Totals: 21 - (House Bills: 13) (Senate Bills: 8) (Other Bills: 0)